

## WITH MILITARY HONORS.

## BURIAL OF KOOLAU'S THREE VICTIMS.

Solemn Services and an Impressive Discourse—Scenes at the Cemetery.

About half-past 9 yesterday morning a detachment of thirty members of Company A marched from the barracks to the undertaking rooms of C. E. Williams, under the command of Lieutenant King, and escorted the bodies of their dead comrades to the barracks at the Court House. The room formerly used as the Legislative chamber had been tastefully draped with mourning. The roster, gunnars, chandeliers, etc., each bore some in sign of woe; the crimson curtains of the dais were draped in black and white, while at the other end of the room, over the large doors leading to the officers' quarters, was a large mourning banner painted by one of the members of Company A, on which were the words, "We Mourn Our Loss."

On arriving at the barracks the bodies, which were enclosed in handsome caskets, were placed on stretchers, each draped with a large Hawaiian flag and covered with flowers. A guard of honor was put on duty and the room was thrown open to the public. A constant stream of visitors, many of whom brought floral offerings, passed in and out until the time fixed for the funeral, at which hour every seat was occupied and every vacant space taken up by those who were willing to stand. On the Ewa side a delegation of twenty members of George W. DeLong Post, G. A. R., were ranged along the wall, each member carrying a large bouquet of flowers, the coffin of McCabe being nearest them, that of Hirschberg being in the center and Anderson's on the other side.

In front of the dais on the right hand were seated President Dole, Vice-President Wilder and Ministers Damon, King and Smith, while many members of the Councils were scattered about the room. Near the door opening into the rooms of the Bureau of Agriculture was an organ, about which the members of the choir of the Central Union Church were seated. On the left were the following officers: Colonel Soper, Lieutenant Colonel Fisher, Majors McLeod, Gatenburg, Pratt and Potter, Captains Gunn, Zeigler, Hall and Camara, Dr. Rogers, and Lieutenants Vivas, Silva, Wall, Torbert, Kenake, King and others.

Shortly after 2 o'clock the services commenced with an invocation by the Rev. E. G. Beckwith, after which the choir sang the anthem "Sleep Thy Last Sleep," so feelingly that many in the audience were moved to tears. Dr. Beckwith then read from II Timothy, 4:7-8, Romans, 8:35-39 and II Samuel, 1:17-27. Continuing, the reverend gentleman said:

"We have listened to the lamentation of an Israelite of old; we are here also to lament our dead to-day, and we bring our tribute of sorrow and honor to our comrades in arms who have laid down their lives in the good fight; where they were found standing as the defenders of right, of law and justice, and hence of the land. We should do them honor as their deeds honor us and the manhood of our country. They were volunteers who met their death upon the call of their country in carrying out the law and order of the land, and this fact calls for double honor for the service rendered. We should also honor them for their manly courage. It was a perilous mission they went upon as volunteers and they knew the danger, yet never faltered. One of those who lies cold in death before us, when shaking hands with his comrades at the wharf, was heard to say, 'Yes, boys, it's a dangerous job, and some of us who are leaving you will never return; but we will do our duty.' And so they did—and so did he, poor fellow, and he never left Kalaia only to be carried back by his comrades with two other brave men, whose actions we are gathered to honor to-day. Brave is the man who knows his danger and yet faces it—such as was this—braver is he than the soldier who meets his death in the long line of battle, amid the excitement and roar of the battlefield. Let us honor them for their noble self-sacrifice; they have given their lives for the public good, therefore I commend them to the esteem of all the people in this hall to-day. I commend their memory to all the good citizens of this land, and we commend them to the abundant mercies of the good Lord. Let us pray."

At the conclusion of the short and feeling prayer, the choir sang the hymn "Jesus, Lover of My Soul," Dr. Beckwith pronounced the benediction and the first portion of the services was ended.

The coffins were then carried to the front of the building and placed on gun carriages, and the funeral procession then formed in the following order:

Police.  
Hawaiian Band.  
Company A, N. G. H.  
Detachment from Co. E, N. G. H.  
Rev. Dr. Beckwith, officiating clergyman.  
Firing Party.  
Gun Carriage with McCabe's Remains.  
Firing Party.  
Gun Carriage with Hirschberg's Remains.  
Firing Party.  
Gun Carriage with Anderson's Remains.  
Citizens on Foot.  
Carriages Containing Government Officials, Members of G. A. R., Etc.

Company A turned out about 110 men under command of Captain Zeigler. The detachment from Company E, consisting of twenty-four men, was commanded by Lieutenant Coyne. The police company numbered thirty-one men, who were commanded by Capt. Robert Parker. The George W. DeLong Post, G. A. R., turned out twenty men led by Comrade J. Simonson. About seventy-five carriages followed the remains to the cemetery, besides a large number of people on foot.

On arriving at the cemetery the first body placed in the ground was that of John McCabe, who was buried in the G. A. R. plot. While not a member of any post of that organization McCabe had deposited his papers with the local post and made application for membership. After a short service by Dr. Beckwith the body was lowered in the grave and a firing party, composed of Corporal C. B. Wells, Privates E. Staunton, A. Phillips, J. Picked, J. Evensen, J. Sauterberg, P. Johnson and Arthur Fitzsimmons, under command of Lieutenant George King, fired three volleys over it.

The remains of the other two soldiers were buried with the same ceremonies in a large double grave near the Nuuanu-street end of the cemetery. Volleys were fired for Anderson by a party consisting of Corporal Thomas King, Privates J. Frey, William Thoenes, Gus. Gunther, J. F. May, Louis L. Held, C. Cavanagh and J. Vivichayes, and for Hirschberg by Corporal McKeague, Privates Charles Kroll, H. S. Naylor, Thos. Downey, A. McAulon, Charles M. Kay, Charles Blum and F. H. Miller.

The soldiers then formed in line and marched back to their quarters, headed by the band, and one of the largest funerals ever witnessed in this city was over. Great credit is due those who had charge of the arrangements.

## STILL VICTORIOUS.

The Kamehamehas Beat the Hawaiis Four to One.

Last Saturday's game of baseball, while void of exciting episodes, had, nevertheless, several features of novelty and interest. The attendance was much smaller than usual, the small-fry supporters of the Kams being off on their vacation, and many of the stalwarts having tired of the one-sidedness of our league games.

After considerable delay, hunting up umpires to brave the kicks and scowls of the students, Messrs. J. O. Carter Jr. and Harry Wilder took the risk, and the Kams emerged from their box with a misfit nine, introducing two new players—Henry Wise, their duke pitcher, and W. Bridges as catcher—both of whom did fairly good work. The game was opened with the Hawaiians at the bat, but the new make-up of their opposition did not permit them to reverse the score, which tallied as usual with a Kamehameha victory four to one. There was some neat double play in two of the innings, in both of which the Hawaiians were the victims. The lack of brilliant attractions in the field was made up fully by the circus performance of a noted character in the grand stand, whose screams and antics should relegate her to the regions of straight jackets.

## PUBLIC SCHOOL EXAMINATIONS

The Long Midsummer Vacation Commences To-day.

The annual examinations of the scholars in the public schools commenced at 9 A. M. to-day in the following schools in this island: At Marquesville, Beretania street, Moanalua and Kalihi-uka, and at Waihole, Koolau, all of which are taught in the English language. In Hawaiian the examinations in the Government school-house at Kawaiahae, the common schools of Kaunakapili, Kawaiahae and Roma Wahine commenced this morning.

The following is the program of the rest of the schools: On Tuesday, at Wailupe, Kamoiliili, Manoa and Waikiki-kali schools, and at Pokai and Makua schools, Waianae. On Wednesday, at the Pohukaina girls' school and Pauoa school; also at Waiawa, Ewa, and at Kaneohe and Waimanalo schools, Koolau-poko. On Thursday, at the Royal school and Kalihi-waena school. On Friday, at the Fort street and Kauluwela schools.

Parents and friends of the pupils are invited to be present at all of the above examinations. The vacation extends to September 11th, at which date the new school year commences.

## Koolau Did Not Salute.

An item in a morning paper which states that Koolau was still in the Kalaia Valley and that he fired his rifle as a farewell salute to the steamer Iwalani, is misleading. When the expedition was about to leave, Attorney General Smith sent a native messenger to the guards at the Waimea pass, stating the fact of the abandonment of the valley by the troops, and that their services were no longer needed. The firing was done by the guards on the pass to show that the message had been received and as a parting salute. From some of those on the expedition it is learned that it was the custom, in communicating between the pass and the camp, to fire from three to five shots to show that each message had been received.

## Dancing on the Adams.

The officers of the "United States" war ship Adams gave an "at home" on Saturday afternoon which was attended by many of Honolulu's four hundred. Refreshments were served, and dancing on deck was kept up from 3 to 6.

## SPRECKELS VS. SMITH.

## THE KATZENJAMMER CASE IN COURT.

It Is Referred Back to the Court of First Resort—Another Case in Point.

The Katzenjammer case was thrown out of court by the Supreme bench this morning, that body declining to take cognizance of it. Further proceedings, if any, will come before the District Court and reach the Supreme Judges in another way. Following is the decision of the Chief Justice:

IN THE SUPREME COURT OF THE HAWAIIAN ISLANDS.

June Term, 1893.

The Provisional Government of the Hawaiian Islands vs. Walter G. Smith.—Before Judd, C. J., Buckerton and Frear, J. J.

There is no appeal to the Supreme Court from a decision of a District Magistrate upon a demurrer to a charge against a defendant in his examination for an offense cognizable before a jury.

OPINION OF THE COURT BY JUDGE C. J.

The defendant was charged with libel in the District Court of Honolulu. He filed a demurrer to the charge which, after argument, was overruled by the magistrate. He did not plead, nor was there any evidence taken, nor did the magistrate commit him for trial or discharge him. But an appeal was immediately taken to the Supreme Court from the ruling of the magistrate against the demurrer. When the matter came up before us, attention of counsel was called by the Court to the novelty of the proceeding, but as the counsel for the prosecution made no objection to the procedure, stating, however, that he was not thereby to be considered as approving of the course taken, the Court heard arguments on the merits of the demurrer.

We think now that it was irregular, and since it might be considered a precedent, we wish now to prevent the initiation of a practice that will lead to great embarrassment.

The proceeding in District Courts where a party is charged with an offense cognizable before a jury is not strictly a "trial." It is a preliminary examination, somewhat analogous to the proceedings of a grand jury in other jurisdictions. The defendant is not required to plead to the charge, though he often does so. He is not put on defense and he may waive the examination altogether, or he may proceed with his defense. All that the statute requires is that the magistrate shall "consider whether there is any probable cause to believe that a jury would, upon the evidence adduced, convict the accused of the offense of which he is charged," and he must either release the prisoner or commit him for trial at the Circuit Court. There are but these two alternatives, and in their very nature there is no appeal from either decision. Every legal objection available to the defendant can be presented in the District Court, and if the result of those proceedings should be a commitment they are again available to the defendant in the court where his trial is to take place.

We do not find that the present statute concerning appeals (Sec. 68, chap. vii, of the Act to Reorganize the Judiciary), has enlarged the right of appeal. Formerly by Sec. 1006 of the Civil Code, a party deeming himself aggrieved by the "decision" of a District Magistrate, could appeal. Now the statute above cited allows appeals from "all decisions." But neither of these statutes allows appeals from interlocutory or provisional orders, rulings or decisions of a District Magistrate.

We therefore decline to assume jurisdiction over this appeal and dismiss the same, and send the case back to the District Court of Honolulu for further proceedings.

F. M. Hatch, for prosecution; A. F. Hartwell, for defendant.

A SIMILAR CONSTRUCTION.

In the case of the Provisional Government vs. An Un, the Court decides there is no appeal to the Supreme Court from a decision of a district magistrate denying a motion to discharge the defendant charged with an offense within the summary jurisdiction of the Court—no final judgment having been rendered.

The defendant in this case was charged, in the District Court of Honolulu, with the offense of conducting a lottery, which is in the summary jurisdiction of that court. He pleaded not guilty and then moved to be discharged on the ground that the law under which he was charged was not in force when the act was alleged to have been committed. The magistrate denied the motion, and without further proceedings the defendant appealed to this court.

THE HAWAIIAN STAR.

There was a small fire in Chinatown Saturday evening, which the department extinguished.

The Atkinson-Cummings bicycle party made the circuit of the Island in 12 hours and 53 minutes.

A correspondent suggests a messenger service between the Islands, of the group, to be carried on by pigeons.

A Chinaman who ran his back against a post near the Post Office has been locked up for heedless driving.

The Oceanic was reported off Waianae about 2 P. M. She is in sight in the STAR goes to press. She will carry a mail to San Francisco.

The case of Nawai, who shot his wife and a native back-driver last Saturday week, came up in Judge Foster's court this morning, but went over until Thursday.

The Pioneer Building and Loan Association has elected the following officers for the ensuing year: president, Theo. F. Lansing, vice-president, S. B. Rose; secretary, J. G. Rothwell; treasurer, J. H. Fisher; attorney, Charles Carter.

There was a meeting of the Board of Health Saturday at which new rules for the leper settlement were adopted and a contract given Lee Chu, of Honolulu, to furnish pain to the patients for two years at the rate of 49¢ cents a pain.

ment published in Saturday's *Advertiser* that fifty-five barrels of whiskey had been shipped to this port for further shipment to the Indians of Alaska, the speaker stated that the Government should prohibit such an infamous traffic, though he did not state by what authority the Hawaiian Government could do so.

## SUICIDE AT WAIALAE.

A Japanese Hangs Himself to a Rafter in His Room.

This morning early a Japanese named Yamaguchi committed suicide at Paul Isenberg's place at Waialae. As he did not turn up this morning at the usual time, Ah Wo, the Chinese cook, went to his room, but found it locked from the inside. He then looked through the window and saw the man hanging from one of the rafters. He summoned Mr. Isenberg, who came to the conclusion that the man had been dead for some time, and an attempt was made to cut him down. A message was sent to the police station, and in response thereto Captain Juven went out to the place, broke open the room, cut down the body and brought it to the Police Station. The man had made a noose out of a very small but strong rope, and standing on a chair had tied one end of it to a rafter and then kicked the chair from under him. The rope was so fine as to nearly cut through the skin.

Coroner Brown summoned a jury of six Japanese at 10 o'clock, who, after hearing the testimony of Dr. Cooper and six other witnesses, rendered a verdict of suicide by hanging.

## Have You Seen the Comet?

The new comet, the discovery of which was reported last week, is traveling southeast at the rate of about two and a half degrees daily, and appears to be making for the planet Saturn. Those who are familiar with the two stars in the Great Dipper commonly known as the "pointers" can, by following their range about 25 degrees toward the moon, easily find the new celestial visitor, which has lost none of its brightness since its first discovery.

## Band Concert To-night.

The following is the program of the concert to be given at Emma Square by the Hawaiian band to-night at 7:30:

PART I.  
1. March—"Hapsburg".....Kai  
2. Overture—"Mammothello".....Auber  
3. Cornet Polka—"First Love".....Neuman  
4. Selection—"Nabucco".....Verdi  
PART II.  
5. Selection—"Grand Duets".....Offenbach  
6. Characteristic—"Linda Miller".....Bergson  
7. March—"The Volunteers".....Meyers  
8. Quadrille—"Madame Angot".....Lecocq  
"Hawaii Panto!"

## Session of the Supreme Court.

The Supreme Court held an extra session in banco this morning to hear the arguments on the exceptions taken at the May term of the First Circuit Court in the case of the Provisional Government vs. Theresa P. Machado, convicted of larceny in the second degree and sentenced to pay a heavy fine. At the conclusion of the argument the matter was taken under advisement.

The Council Meets.

A special meeting of the Executive and Advisory Councils was called for 3 o'clock this afternoon. It is said that treaty matters will be concluded, and it is possible that a reward will be offered for the apprehension of Koolau.

## NEWS IN A NUTSHELL.

The Cabinet was in session this morning again.

Judge Whiting is presiding Judge at chambers this week.

Comet-gazing parties at the top of Punchbowl are in order.

The District Court is in session this afternoon on civil business.

It is just six months to-day since the Provisional Government came into existence.

The Hawaiian band will give a public concert at Emma Square this evening.

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## FLOTSAM AND JETSAM.

## THE BARK COLUSA ARRIVES AT KAHULUI.

The Pele From Kauai—The Sunday Fleet—Steamlets, Wavelets and Wharfleets.

Commander Peterson of the fast liner Pele is his name now, and the boys of the Inter-Island Company are quite proud that one of their modest freighters should assume the proportions of a trans-Pacific leviathan such as the steamship Oceanic. The customs guards, doctor, pilot and tug were all on hand at the harbor entrance when the Pele arrived last night from Makaweli and had the buoys all marked with red lanterns, so that no accident could happen similar to that of the China last week. After finding out the mistake the vigilant captain of the Pele gave three short blasts of his tug's whistle and turned in, and the rest of the water front officials wended their way homeward, hoping for a good night's rest.

The American bark Colusa, Captain Johnson, arrived at Kahului last Wednesday, sixty-one and a half days from Guatemala in ballast. She will load sugar for San Francisco.

The bark Mauna Ala will arrive in a few days from San Francisco with a big cargo of feed and grain for a local firm.

The Hawaiian steamer Montserrat is now playing as a collier between San Francisco and Vancouver's Island.

The steamer Pele is unloading her big cargo of Makaweli sugar into the steamship Australia to-day.

The barkentine Planter is completing her cargo of sugar from the Mikahala to-day.

## MONDAY, JULY 17.

DIAMOND HEAD, 3:30 P. M.—Weather clear. Wind fresh, E.

## ARRIVALS.

SATURDAY, July 15.  
Start Mokoli, McGregor, from Molokai.

SUNDAY, July 16.  
Start Mikahala, Chaney, from Kauai.

Start Likiepke, Chaney, from Maui.

Start Pele, Peterson, from Makaweli.

Scho Ka Mol from Hanalei.

Am bk Colusa, from Guatemala at Kahului, July 15.

Schr Sarah and Elina from Koolau.

## DEPARTURES.

MONDAY, July 17.

Start J. A. Cummings, Nelson, for Koolau.

Start Mokoli, McGregor, for Molokai.

Start Kaula, Graham, for Waianae, Waialua and Molokai.

Start C. R. Bishop, Haglund, for Kapa.

Start Iwalani, Freeman, for Elele and Makaweli.

Schr Millie Morris for Koolau.

## PROJECTED DEPARTURES.

Start Mikahala, Chaney, for Kauai to-morrow at 5 p.m.

Start W. G. Hall, Simerson, for Maui and Hawaii to-morrow at 10 a.m.

Start Waimanalo, Dudlow, for Kilauea, Kalihine and Hanalei to-morrow at 4 p.m.

Start Likiepke, Chaney, for Maui to-morrow at 5 p.m.

Am bktime Planter, Dow, for San Francisco to-morrow at 12 o'clock.

Am tem Glendale, Johnson, for Eureka on or about Saturday.

## PASSENGERS.

## ARRIVALS.

From Kauai, per start Mikahala, July 16—Hao P. Isenberg, A. Cropp and wife, Dr. Howard and wife, J. H. Blackhall, H. Gorman, J. Cunningham, Mrs. S. Bertleimann and servant, C. von Hamm, Dr. Tiemann, R. C. Spalding, Wm. Baldwin, F. F. Baldwin, J. O. Howard, H. Black and wife, and 32 on deck.

From Maui, per start Likiepke, July 16—A. Shepherd and wife, W. H. Connolly, C. L. Brito, V. Backa, H. P. Robinson, W. A. Baldwin, Mrs. Ferguson, Mrs. Anderson, A. W. Van Valkenberg, T. J. McLaughlin, and 24 on deck.

From Molokai, per start Mokoli, July 16—Miss B. Meyers, Miss V. Meyers, Mrs. O. Meyers, 33 children, Miss L. L. McCormick, Miss Louise Bal and 8 on deck.

## IMPORTS AND CONSIGNEES.

Ex Pele; 4011 bags sugar for W. G. Irwin & Co., act Makaweli Plantation.

Ex Mokoli; 2 cattle, 1 calf and 60 sheep for Metropolitan Meat Co., act Lanai Ranch.

Ex Sarah and Eliza; 180 sacks rice for M. Phillips & Co. and Wing Wo Tai Co., act Waialeale and Waialeale Plantations.

Ex Likiepke; 21 bbls hides for F. F. Porter, 43 bags for F. F. Porter, 35 bags for Hop Vuen, 23 bags for various, 100 sacks potatoes for H. Davis & Co., 121 sacks potatoes for various, 127 bags corn for various, 26 bbls poi for Haw Fruit & Taro Co., 80 pkgs sundries for various, 1 horse.

Ex Mikahala; 3450 bags sugar for Wm G. Irwin & Co., act Makaweli Plantation, 1148 bags sugar for Hackett & Co., act Kaloa Plantation, 644 bags sugar for F. A. Schaefer & Co., act Waialeale Plantation, 56 bags rice and 60 bags poi for various, 15 head cattle, 2 horses and 2 mules for Paul Isenberg.

## VESSELS IN PORT.

## NAVAL VESSELS.

U. S. S. Boston, Day.

U. S. S. Adams, Nelson, San Fran.

## MERCHANTMEN.

Br sch Norma, Macquarie, Yokohama.

Am sch W. H. Talbot, Bihm, Newcastle.

Haw bk Andrew Welch, Drew, San Fran.

Am sch Weatherwax, San Fran (at Kah).

Ger bk G. N. Wilcox, Walters, Liverpool.

Am tem Glendale, Johnson, Eureka.

Am tem Allen A. Schage, Eureka.

S. S. Australia, Houliette, San Francisco.

Am sch Aloha, Dabel, San Francisco.

Am bk Colusa, Guatemala, at Kahului.

## FOREIGN VESSELS EXPECTED.

Am sch Olga, Paget Sound (Kah).....Due

Am sch Transit, San Francisco.....Due

Haw bk Mauna Ala, San Francisco.....July 21

Br bk Ladstock, Liverpool.....July 25

Haw bk R. P. Ribbet, San Fran.....July 25

Am sch Alice Cooke, Puget Sound.....July 25

Am bktime S. N. Castle, San Fran.....July 25

Am bktime W. G. Irwin, San Fran.....July 30

Am bk Annie Johnson, S. F. (Hilo).....July 30

Am bktime Consuelo, S. F. (Kah).....Aug 5

Am bk S. C. Allen, San Fran.....Aug 5

Am bk Albert, San Francisco.....Aug 10

Br bk Elizabeth, Graham, Newcastle.....Aug 13

Am sch J. G. North, S. F. (Makaweli).....Aug 15

Br bk Parthenon, Newcastle.....August 20

Am bk Amelia, Puget Sound.....August 30

Ger bk J. C. Fluger, Bremen.....Oct 15

Ger bk Paul Isenberg, Liverpool.....Nov 15

Am bk Martha Davis, Boston.....Dec 5

## DISTRICT COURT MATTERS.

## A Large Number of Petty Cases Disposed of.

The first six cases out of the twenty-one on this morning's calendar in the District Court were put off to other dates during the week.

Ah Chock and Ah Yong pleaded not guilty to the charge of having opium in their possession unlawfully, and after hearing the evidence of Policeman G. Woolsey, who made the arrest, the court agreed with them and ordered their discharge.

The case of Ailene, charged with larceny, went over till to-morrow by consent, and so did the cases of M. Rodriguez for assault and battery, and Chin Lau and Lewai for the unlawful possession of opium.

Atay, a native back-driver, who capitalized his vehicle by reckless driving near the Postoffice